IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

ANDERS TRONSEN,	*	Case No. 3:08-CV-148
Plaintiff	*	JUDGE CARR
	*	
vs.	*	DEFENDANT'S MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S PENDING MOTIONS
	*	
TOLEDO-LUCAS COUNTY PUBLIC LIBRARY	*	
Defendants	*	Julia R. Bates Lucas County Prosecuting Attorney By: John A. Borell (0016461) Karlene D. Henderson(0076083) Assistant Prosecuting Attorneys Lucas County Courthouse, Suite 250 Toledo, Ohio 43624 Phone: (419) 213-2001 Fax: (419) 213-2011 E-mail: JABorell@co.lucas.oh.us Counsel for Defendant

On January 17, 2008, the plaintiff filed a pro se complaint alleging a violation of the First Amendment rights of free speech and expression. The plaintiff also seeks a temporary restraining order allowing him access to the public library during the pendency of this action.

While not entirely clear, the plaintiff appeared to claim that his removal from the Library and subsequent temporary revocation of his library privileges violated his constitutional rights. He does NOT allege a due process or equal protection violation. Rather, he appears to assert that the defendant's adoption of such a policy violates the First Amendment.

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On January 22, 2008, this Court denied the plaintiff's motion for a temporary restraining order. The Court granted plaintiff until February 15, 2008 to submit a brief in support of the motion for a preliminary injunction. The defendant was grant leave to file a dispositive motion on or before February 29, 2008. The plaintiff was granted until April 1, 2008 to file his memorandum in opposition and the defendant was ordered to file a Reply Brief on or before April 15, 2008.

The plaintiff failed to file a brief in support of his request for a preliminary injunction by the deadline set by this Court. The defendant filed a motion for summary judgment on February 26, 2008. The plantiff has not yet filed a memorandum in opposition.

Instead, the plaintiff has filed a series of motions confusing pleadings that appear to be, essentially, motions to reconsider the denial of a temporary restraining order. Rather then continue to expend unnecessary and unwarranted expenditure of public resources, the defendant requests that he be granted until April 15, 2008, to respond to all of the plaintiff's pending motion.[1]

Respectfully submitted

JULIA R. BATES
LUCAS COUNTY PROSECUTING ATTORNEY

By: /s/ John A. Borell
John A. Borell
Karlene D. Henderson
Assistant Prosecuting Attorneys
Counsel for Defendant

[1] The defendant intend on treating all of the pending motions as memorandum in opposition to the motion for summary judgment. April 15 is the deadline for filing a Reply Brief.

CERTIFICATION

A copy of the foregoing Motion for Extension of Time was sent by email and ordinary U.S. Mail to the plaintiff on the 19th day of March 2008.

/s/ John A. Borell
John A. Borell
Assistant Prosecuting Attorney
Counsel for Defendant